

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK SMSA LIMITED PARTNERSHIP d/b/a
VERIZON WIRELESS, NEW CINGULAR WIRELESS
PCS, LLC, SPRINT SPECTRUM L.P., and OMNIPOINT
COMMUNICATIONS, INC., a wholly owned subsidiary
of T-MOBILE USA, INC.,

Case No. 07 CV 7637
(Brieant, J.)
(Yanthis, M.J.)

Plaintiffs,

-against-

**NOTICE OF
CROSS- MOTION**

THE TOWN OF CLARKSTOWN and THE TOWN
BOARD OF THE TOWN OF CLARKSTOWN,

Defendants.
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PLEASE TAKE NOTICE that on the 16th day of May, 2008, at 10:00 a.m., pursuant to this Court's Civil Case Discovery Plan and Scheduling Order Addendum (Oct. 22, 2007) [Doc. 20], defendants the Town of Clarkstown and the Town Board of the Town of Clarkstown (collectively, "Defendants"), by their attorneys, Rosenberg Calica & Birney LLP, upon the pleadings, the annexed Local Civil Rule 56.1 Statement, the accompanying declarations of Town Attorney Amy Mele, Town Planner Jose C. Simoes, and Michael P. Musso, P.E., and the exhibits attached thereto, as well as the accompanying memorandum of law, will cross-move before this Court (Hon. Charles L. Brieant), at the United States Courthouse, 300 Quarropas Street, White Plains, New York, Courtroom 218, for an order granting Defendants summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure and other and further relief as the Court may deem just and proper.

Dated: Garden City, New York
March 14, 2008

Respectfully Submitted,

ROSENBERG CALICA & BIRNEY LLP

By: _____/s/_____
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